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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re PATENT APPLICATION of

SEP 20 2005 1:21

NAYLOR

Appln. No.: 10/002,185

Group Art Unit: 2631

Filed: December 5, 2001

Examiner: Torres, Juan A.

Title: ARRANGEMENT FOR INITIALIZING DIGITAL EQUALIZER SETTINGS BASED ON COMPARING DIGITAL EQUALIZER OUTPUTS TO PRESCRIBED EQUALIZER OUTPUTS.

\* \* \* \* \*

September 27, 2005

**REQUEST FOR REFUND**

**M/S REFUND**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

It is hereby requested that a refund in the amount of \$790.00 be credited to Deposit Account No. 500687 (Order No. 95-525). The amount of \$790.00 has been erroneously charged to Deposit Account No. 500687 pursuant to the Deposit Account Statement dated September 2005 (copy attached hereto) which shows the \$790.00 being charged for a Request for Continued Examination (RCE).

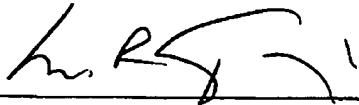
A Response After Final was filed in the PTO on September 14, 2005, with respect to the subject application. The examiner subsequently advised the undersigned attorney of record that the Response had been incorrectly processed as a Request for Continued Examination. Therefore, payment of the RCE fee was not required.

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**NAYLER – Appln. No. 10/002,185**

Accordingly, please credit PTO Deposit Account No. 500687 (order no. 95-525)  
for the erroneously charged ~~\$790.00~~ RCE fee.

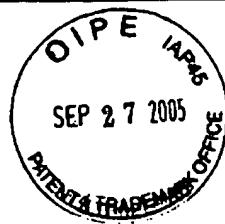
Respectfully submitted,

By 

Leon R. Turkevich  
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Washington, D.C. 20036  
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**Deposit Account Statement  
Dated September, 2005**



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### Deposit Account Statement

**Requested Statement Month:** September 2005  
**Deposit Account Number:** 500687  
**Name:** MANELLI DENISON & SELTER PLLC  
**Attention:** EDWARD STEMBERGER  
**Address:** 2000 M STREET, N.W.  
**City:** WASHINGTON  
**State:** DC  
**Zip:** 20036  
**Country:** UNITED STATES OF AMERICA

DATE	SEQ	POSTING REF	ATTORNEY DOCKET NBR	FEE CODE	AMT	BAL
09/02	121	11214772	46431	1201	\$200.00	\$10,385.00
09/06	1176	78369776	84618	7004	\$150.00	\$10,235.00
09/08	7	10521165	62646	8021	\$40.00	\$10,195.00
09/08	14	10542778	62297	8021	\$40.00	\$10,155.00
09/12	22	5241784		2556	\$65.00	\$10,090.00
09/15	1267	78128111	59837	7004	\$150.00	\$9,940.00
09/15	1270	78128119	59837	7004	\$150.00	\$9,790.00
09/16	1628	76389020	59-875	7004	\$300.00	\$9,490.00
09/19	2	10002185	95-525	1801	\$790.00	\$8,700.00
09/20	3	10416124	62635-1730	1252	\$330.00	\$8,370.00
09/21	144	11114023	20-358	8007	\$120.00	\$8,250.00
09/21	152	11114025	20-357	8007	\$20.00	\$8,230.00
09/26	15	10536783		9204	-\$250.00	\$8,480.00
09/26	16	10536783		2642	\$200.00	\$8,280.00
09/26	199	11137373	62292	8021	\$40.00	\$8,240.00

START BALANCE	SUM OF CHARGES	SUM OF REPLENISH	END BALANCE
\$10,585.00	\$2,595.00	\$250.00	\$8,240.00

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OIR = LAPAS  
SEP 14 2005  
PATENT TRADEMARKS OFFICE

Form: PTO/SB/17 (Modified) *WAF*

**REPLY/AMENDMENT  
FEE TRANSMITTAL**

		Attorney Docket No.	95-525
		Application Number	10/002,185
		Filing Date	December 5, 2001
		First Named Inventor	NAYLER
		Group Art Unit	2631
AMOUNT ENCLOSED	\$ 0	Examiner Name	TORRES, Juan A.

**FEE CALCULATION (fees effective 10/01/2003)**

CLAIMS AS AMENDED	Claims Remaining After Amendment	Highest Number Previously Paid For	Number Extra	Rate	Calculations
TOTAL CLAIMS	13	20	0 <sup>(3)</sup>	X \$50.00 =	\$0
INDEPENDENT CLAIMS	2	3	0	X \$200.00 =	\$0
Since an Official Action set an original due date of _____, petition is hereby made for an extension to cover the date this reply is filed for which the requisite fee is enclosed (1 month (\$120); 2 months (\$450); 3 months (\$1020); 4 months (\$1,590); 5 months (\$2,160));					\$0
If Statutory Disclaimer under Rule 20(d) is enclosed, add fee (\$110)					+\$0
Total of above Calculations =					\$0
Reduction by 50% for filing by small entity (37 CFR 1.9, 1.27 & 1.28)					-
TOTAL FEES DUE =					\$0

(1) If entry (1) is less than entry (2), entry (3) is "0".  
 (2) If entry (2) is less than 20, change entry (2) to "20".  
 (4) If entry (4) is less than entry (5), entry (6) is "0".  
 (5) If entry (5) is less than 3, change entry (5) to "3".

**METHOD OF PAYMENT**

Check enclosed as payment.  
 Charge "TOTAL FEES DUE" to the Deposit Account No., below.

**AUTHORIZATION**

If the above-noted "AMOUNT ENCLOSED" is not correct, the Commissioner is hereby authorized to credit any overpayment or charge any additional fees under 37 CFR 1.16 or 1.17 necessary to maintain pendency of the present application to:

Deposit Account No.:

50-0687

OrderNo.: (Client/Matter)

95-525

**SUBMITTED BY: MANELLI DENISON & SELTER PLLC**

Typed Name	Leon R. Turkevich	Reg. No.	34,035
Signature	<i>Leon R. Turkevich</i>	Date	September 14, 2005

Adjustment Date: 11/08/2005 SDIRETA1  
 09/19/2005 DSAVOY 00000002 500687 10002185  
 01 FC:1801 790.00 CR